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June 23, 2009

Examiner C. Ostrup
Art Unit 3771
United States Patent and Trademark Office
Alexandria, VA
Telephone (571) 272-5559
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U.S. Application No. 10/535,149
Our Ref.: 6501-1049

Dear Examiner Ostrup

Thank you for granting a telephonic interview on Thursday at 11 AM. Your time and consideration of the above-identified application are greatly appreciated.

As you requested, please find a proposed amendment and the PTOL-413 transmitted hereafter.

I look forward from hearing from you and Supervisory Examiner Yu on Thursday.

Kind regards,

Robert A. Madsen, Reg. No. 58,543
Attachments

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DRAFT. DO NOT ENTER

1. (currently amended) An inhaler device ~~including~~ comprising:

an inlet for air,

a mouthpiece for connection to the breathing system of a human,

[[and]]

a permanent magnet having magnetic field ~~above 1500 gauss~~ between about 1,500 gauss to 3,000 gauss between the inlet and the mouthpiece, the permanent magnet being located in a stream of inhaled air that passes through the inhaler device, and

paramagnetised oxygen proximate to the magnet.**2-5. (cancelled)****6. (new)** An inhaler device comprising:

a body having at least a first and a second opening, the first opening is an inlet for air intake, the second opening is a mouthpiece for connecting to the breathing system of a human, and

a permanent magnet having magnetic field of at least ~~1500 gauss~~ between about 1,500 gauss to 3,000 gauss and positioned inside the body between the inlet and the mouthpiece,

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DRAFT. DO NOT ENTER /CTO/

wherein the inlet, the permanent magnet, and the mouthpiece are arranged so that a stream of air from the inlet travels through the inhaler device, past the magnet, to the mouthpiece, and

the magnetic field induces paramagnetism to oxygen in said stream of air such that a zone proximate to the magnet includes paramagnetised oxygen.

7. (cancelled)

8. (new) The inhaler device of claim 6, wherein the mouthpiece is arranged together with the inlet to allow a user to draw air through the inhaler device.

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PTOL-501 SA (08-039)
 Approved for use through: 06/30/2009, OMB 0051-9001
 U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request Form

Application No.: 10/535,143 First Named Applicant: Erwan Barker Speight
 Examiner: Clinton Ostrop Art Unit: 3771 Status of Application: Final

Tentative Participants:

(1) Clinton Ostrop (2) Justine Yu
 (3) Robert Madsen (4) _____

Proposed Date of Interview: June 25, 2009 Proposed Time: 11 AM AM/PM

Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Ref., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Written descript.</u>	<u>1, 6-8</u>	<u>n/a</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>Indefiniteness</u>	<u>1, 6 and 8</u>	<u>n/a</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) <u>Obviousness</u>	<u>1, 6-8</u>	<u>Wakuta</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☒ Continuation Sheet Attached

Brief Description of Argument to be Presented:

The attached Proposed Amendment overcomes the rejections.

An interview was conducted on the above-identified application on _____.

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

/Robert A. Madsen/

Applicant/Applicant's Representative Signature

Robert A. Madsen

Typed/Printed Name of Applicant or Representative

58,543

Registration Number, if applicable

Examiner/SPF Signature

This collection of information is required by 37 CFR 1.131. The information is required to obtain or retain a benefit by the public which is to be used by the USPTO in processing an application. Confidentiality is provided by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is required to take 11 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Your will vary depending upon the individual case. Any dissemination of this information to assist this form to your signature for reducing this burden would be to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22315-1450, (703) 501-5800 or COMPLETED FORMS TO: HRS ADDRESS, SERIAL TO: Correspondence for Patents, P.O. Box 1450, Alexandria, VA 22315-1450.
 If you need assistance in completing the form, call 1-800-PTO-2999 and select option 1.